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TAGS: [ASEC](#) [KCRM](#) [KJUS](#) [PGOV](#) [PTER](#) [CO](#) [AUC](#)

SUBJECT: PARAMILITARY PEACE DIFFICULTIES

Classified By: Ambassador William B. Wood for reasons 1.4  
(b) and (d)

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Summary  
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1. (S) At the instruction of President Uribe, Peace Negotiator Restrepo met with the Ambassador to discuss difficulties in the GOC's negotiations with the AUC paramilitaries. Restrepo said the AUC had called for written guarantees from the GOC that, during the concentration phase, AUC members facing arrest warrants would neither be jailed nor extradited to the United States. The AUC also wanted a two-step system that gave demobilizing forces several months within concentration areas before judicial reviews began on individual criminal behavior. The Ambassador opposed lifting arrest warrants on paramilitaries during the initial demobilization phase as this would reduce compliance incentives. He also cautioned against delaying the judicial screening of concentrated paramilitary personnel. He observed that the lack of transparency in the Medellin demobilization undermined support for the larger paramilitary peace process, and recommended that the GOC publicly highlight what had been achieved. Restrepo noted that, as a result of GOC military pressure, the Central Bolivar Bloc had taken the potentially significant decision to pull out of key areas, including Barrancabermeja. Carlos Castano still flirted with the idea of turning himself in to the United States. The Ambassador urged Restrepo to develop a more integrated interagency approach to support the AUC process. End Summary.

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Ambassador Meets with High Commissioner for Peace  
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2. (C) High Commissioner for Peace Luis Carlos Restrepo called upon the Ambassador March 9 at President Uribe's instruction to provide an update on the paramilitary peace process. Restrepo was concerned that discussions with paramilitaries were at a critical juncture.

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Concentration Areas and Arrest Warrants  
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3. (S) Restrepo said his main objective during his March 5 negotiations with the United Self-Defense Forces of Colombia (AUC) was to secure their commitment to concentrate their forces in specific geographic zones. Concentrations were indispensable for the GOC to verify the paramilitaries' compliance with the cease-fire.

4. (S) Restrepo said AUC leaders vehemently opposed concentrating their combatants without a GOC written commitment that paramilitary members would neither be arrested nor extradited to the U.S. while involved in the troop concentration phase. The AUC wanted U.S. endorsement of this agreement. This stance appeared to be the result of mid-level paramilitary leaders seeking complete protection from jail or extradition. AUC leaders also argued that the "security" they provided was necessary and would not be available if they concentrated in zones.

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Overcoming the Impasse  
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5. (S) Restrepo noted that the March 5 discussions would have broken off had it not been for an emotional plea by AUC leader Carlos Castano to agree in principle to geographic concentration, pending further consideration of shielding paramilitary members from jail during the concentration phase. Restrepo had considered two solutions to the issue. One, lifting individual arrest orders for a limited time, had already been discarded. Another approach was lifting arrest orders for individuals in specific geographic areas. He also mused whether the GOC could broach the issue of extradition with the paramilitaries.

6. (S) Restrepo observed that it was difficult to see how paramilitary leaders could carry out their demobilization tasks if they could not be temporarily shielded from arrest. Nevertheless, President Uribe was concerned that the time was

not yet ripe for the GOC to lift arrest orders on paramilitaries and had consistently opposed negotiating the extradition issue with the paramilitaries. The USG also had been clear that it opposed lifting the arrest orders for specific individuals involved in peace talks and concentration/demobilization. Restrepo requested USG views.

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Ambassador's Response  
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17. (S) The Ambassador observed that the paramilitary ceasefire, although imperfectly observed, already had saved many lives. He endorsed the GOC's insistence that the paramilitaries concentrate their forces; a concentration would enable the GOC to verify paramilitary compliance with the ceasefire and agreement terms. It would also separate paramilitaries that genuinely want to demobilize from those who do not. Some paramilitary elements would remain heavily involved in narcotics trafficking. The United States rejected the AUC's argument that they provided security in certain regions; they were terrorists. Security was the job of the GOC.

18. (S) The Ambassador urged against formally lifting arrest warrants against paramilitaries, especially prior to their having complied with all the terms of any agreement. Such a concession would reduce the GOC's leverage. Regarding extradition, the Ambassador recalled that Uribe assured the United States that neither the "conditional parole" bill nor any agreement reached with the AUC would impair the extradition process. The United States still relied on this position.

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Restrepo Pushed for Temporary Mechanism  
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19. (S) Restrepo said he accepted the Ambassador's rationale for not formally lifting arrest warrants on the paramilitaries to maintain GOC leverage during the demobilization/reintegration process. However, he insisted that some kind of temporary, carefully-defined mechanism was needed to shield paramilitary leaders from arrest while they carried out accord commitments. The paramilitaries would not enter into a concentration phase without some guarantee. The Ambassador advised Restrepo to seek a practical solution, leaving arrest warrants in place. AUC leaders could acquire the freedom to move within and between zones of concentration, solely in order to ensure that concentration was a success.

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Judicial Screening  
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10. (S) Restrepo said that the paramilitaries' wariness about being arrested after concentrating led them to refuse to have their personnel reviewed by the Prosecutor General's Office (Fiscalia) during the concentration phase. The judicial screening approach used in the Medellin demobilization had led to the prosecution of a substantial number of Cacique Nutibara Bloc members. Because a "conditional parole" law was not in effect, the Fiscalia was obligated to prosecute those wanted for serious crimes. As a result, the paramilitaries wanted to wait three months after concentration, ostensibly to build confidence, before being interrogated by the Fiscalia.

11. (S) The Ambassador said that concentrating paramilitary forces would be a positive development. Nevertheless, delaying judicial screening would create a break point in negotiations that the paramilitaries could exploit. Restrepo conceded the Ambassador's point, but reiterated his doubt that he could persuade the paramilitaries to accept judicial screening soon after concentration.

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Medellin Process  
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12. (S) The Ambassador observed that the public's limited understanding of the Medellin demobilization negatively affected the overall perception of the AUC peace process. The GOC should publicize details of the Medellin process to overcome the perception that it was synonymous with impunity. Restrepo responded that the division of institutional responsibilities complicated projecting a unified message on the Medellin process. (Note: The High Commissioner for Peace had a coordinating role, the mayor's office provided jobs and training, the Peace Commission of Antioquia and the Church helped verify compliance, and the Fiscalia conducted judicial screening.) Restrepo acknowledged that releasing information on Medellin demobilization's judicial screening would correct the perception of immunity. He noted that, of approximately 870 demobilized in Medellin, 75 faced legal charges and 18 were in prison awaiting prosecution. To overcome AUC

concerns, Restrepo wanted to downplay the judicial screening process until after the "conditional parole" bill was approved.

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Central Bolivar Bloc  
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113. (S) Restrepo said that the Central Bolivar Bloc (BCB), which had skittishly participated in demobilization discussions, had announced -- and appeared committed to carrying out -- a withdrawal from key points in the Middle Magdalena region, including the city of Barrancabermeja. Restrepo judged that a key factor behind the BCB's withdrawal had been increased GOC military pressure. Another possible factor was that the BCB wanted to create a security vacuum.

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Castano  
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114. (S) Restrepo noted that Castano had played a decisive role in moving the AUC demobilization discussions forward. Of all the paramilitary leaders, he was the most committed to reaching an agreement. As a result, many of the other paramilitary leaders viewed Castano as a potential traitor, and he was clearly apprehensive about his own security. Within the AUC, military power had decisively shifted to Salvatore Mancuso. Restrepo characterized Castano as schizophrenic on the possibility of turning himself in to U.S. authorities. At times Castano defiantly scorned the danger he faced, while at others he voiced the possibility of turning himself over to the U.S. The GOC, said Restrepo, would welcome such a voluntary handover.

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Greater GOC Coordination  
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115. (SBU) The Ambassador urged Restrepo to work closely with Minister of Defense Uribe and Minister of Interior/Justice Pretelt to develop a coordinated interagency structure, with clearly defined responsibilities to support the AUC demobilization process. U.S. assistance to the process could not be considered until the process was fully defined. Restrepo concurred, noting that the Ministries of Defense and Interior/Justice were finalizing their proposed division of labor.  
WOOD